1 2	PHILLIP A. TALBERT United States Attorney CHRISTOPHER S. HALES Assistant U.S. Attorney		
3 4	501 I Street, Suite 10-100 Sacramento, CA 95814 (916) 554-2700		
5 6	Attorneys for Plaintiff United States of America		
7			
8	UNITED STATES DISTRICT COURT		
9	EASTERN DISTRICT OF CALIFORNIA		
10			
11	In re: Marijuana Possession Dismissals Pursuant to October 6, 2022, Presidential		
12	Proclamation Pardoning Individuals for the) UNITED STATES'S MOTION TO DISMISS AND		
13	Offense of Simple Possession of Marijuana) RECALL BENCH WARRANTS; ORDER		
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18	Dismissal of Marijuana Possession Cases Pursuant to Presidential Pardon		
19	By a presidential proclamation on October 6, 2022, President Biden announced a pardon for		
20	federal misdemeanor marijuana possession offenses. Pursuant to that presidential pardon and Rule		
21	48(a) of the Federal Rules of Criminal Procedure, plaintiff United States of America, by and through it		
22	undersigned attorney, hereby moves this Honorable Court for an Order dismissing the 196 misdemean		
23	marijuana possession cases listed in Exhibit A to this motion, and to recall all associated warrants.		
24	The list below contains those Eastern District of California marijuana possession cases that the		
25	U.S. Attorney's office has identified to date as still pending before the Sacramento division of the		
26			
27 28	¹ See https://www.whitehouse.gov/briefing-room/presidential-actions/2022/10/06/granting-pardon-for-the-offense-of-simple-possession-of-marijuana/ (last accessed August 7, 2023).		
	MOTION AND ORDER TO		

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MOTION AND ORDER TO
DISMISS AND RECALL BENCH WARRANTS

IN RE: PRESIDENTIAL PROCLAMATION OF OCTOBER 6, 2022

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district, including Redding, that have assigned ECF case numbers. Many of these cases remain open 1 because they are in warrant status. Consistent with President Biden's proclamation, the government 2 therefore requests that this Court order dismissal of these cases and recall of all associated warrants. 3 Respectfully submitted, 4 5 Dated: August 8, 2023 PHILLIP A. TALBERT 6 United States Attorney 7 8 9 CHRISTOPHER S. HALES Assistant United States Attorney 10 11 12 **ORDER** 13 14 As Chief Magistrate Judge for the Eastern District of California, and pursuant to the motion of 15 the United States, I hereby order dismissal of each misdemeanor marijuana possession case listed below 16 in Exhibit A, and the recall of all warrants associated with each case. I further direct the Clerk of the 17 Court to file a copy of this signed order in each of the cases listed below. 18 IT IS SO ORDERED. 19 Dated: August 9, 2023 20 21 UNITED STATES MAGISTRATE JUDGE 22 23 24 25 26 27

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MOTION AND ORDER TO
DISMISS AND RECALL BENCH WARRANTS

Exhibit A List of Cases to be Dismissed

ECF Case Number	Defendant	
2:17-PO-00495-DB	Jose Rosas	
2:18-PO-00011-AC	Frank Martinez	
2:18-PO-00138-AC	Daniel R. Carlson	
2:18-PO-00149-DB	Robert Mesta	
2:18-PO-00331-DB	Kevin B. Cowan	
2:19-PO-00032-AC	Cherish Carter	
2:19-PO-00304-DB	Joshua N. Stark	
2:20-PO-00038-AC	Aron Daniel	
2:20-PO-00040-AC	Michael V. Dzigorski	
2:20-PO-00205-KJN	Scott S. Barrett	
2:20-PO-00300-EFB	Mario Bargas	
2:20-PO-00462-DB	Shaundell M. Hatcher-Harris	
2:20-PO-00479-CKD	Jasmine Moschell	
2:20-PO-00562-CKD	Robert Williams	
2:20-PO-00602-DB	Thomas Hasch	
2:21-PO-00159-AC	Zachary J. Noack	
2:21-PO-00195-DB	Anthony Wright	
2:21-PO-00274-CKD	Winston Jackson	
2:21-PO-00282-CKD	Kurt Smith	
2:21-PO-00369-JDP	Michael R. Block	
2:21-PO-00390-JDP	Michael Meletiou	
2:21-PO-00395-JDP	Hosanna Perez	
2:21-PO-00405-JDP	Allen White	
2:21-PO-00421-AC	Donald Clontz	
2:21-PO-00442-AC	Robert T. Ocoboc	
2:21-PO-00475-KJN	Harold Deaulette	
2:22-PO-00020-KJN	Michael A. Heller	
2:22-PO-00235-DB	Michael Binder	
3:16-PO-00006-CMK	Mindy J. Gaede	
3:16-PO-00008-CMK	Tonka Gritts	
3:16-PO-00016-CMK	Johnny C. Lor	
3:16-PO-00019-CMK	Stephen Lundquist	
3:16-PO-00021-CMK	Warren Martin	
3:16-PO-00026-CMK	Dwayne Meyers	
3:16-PO-00034-CMK	Johnny Lou	
	2:17-PO-00495-DB 2:18-PO-00011-AC 2:18-PO-00138-AC 2:18-PO-00331-DB 2:19-PO-0032-AC 2:19-PO-00304-DB 2:20-PO-00038-AC 2:20-PO-00040-AC 2:20-PO-00300-EFB 2:20-PO-00462-DB 2:20-PO-00462-DB 2:20-PO-00602-DB 2:21-PO-00159-AC 2:21-PO-00195-DB 2:21-PO-00282-CKD 2:21-PO-00390-JDP 2:21-PO-00390-JDP 2:21-PO-00390-JDP 2:21-PO-00390-JDP 2:21-PO-00405-JDP 2:21-PO-00405-JDP 2:21-PO-00405-JDP 3:21-PO-00442-AC 2:21-PO-00442-AC 2:21-PO-00442-AC 3:16-PO-00060-CMK 3:16-PO-00016-CMK 3:16-PO-00016-CMK 3:16-PO-00019-CMK 3:16-PO-00011-CMK 3:16-PO-00011-CMK 3:16-PO-00021-CMK 3:16-PO-00021-CMK	

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	ECF Case Number	Defendant	
36 3:16-PO-00073-CMK		Oliver Fresquez	
37 3:16-PO-00111-CMK		Ronald Kistle	
38 3:16-PO-00133-CMK		William Carter	
39 3:16-PO-00135-CMK		Jeremy Deleal	
40 3:16-PO-00176-CMK		Peter S. Graf	
41 3:16-PO-00196-CMK		Gregory Crater	
		John Moreno	
43	3:16-PO-00216-CMK	Silvestre Nevarez	
44	3:16-PO-00242-CMK	Thomas Bailey	
45	3:16-PO-00457-CMK	Tory Smith	
46	3:16-PO-00502-CMK	Larry E. Sipes	
47	3:16-PO-00521-CMK	Anthony E. Deal	
48	3:16-PO-00552-CMK	Lee Khang	
49	3:16-PO-00571-CMK	Madison E. Bonnel	
50	3:16-PO-00573-CMK	Rogelio Deival-Riggs	
51	3:16-PO-00581-CMK	Warren Martin	
52	3:16-PO-00584-CMK	William C. Moon	
53	3:16-PO-00603-CMK	James E. Crosley	
54	3:16-PO-00609-CMK	Devin C. Johnson	
55	3:16-PO-00627-CMK	William R. Winstead	
56	3:16-PO-00629-CMK	Emillano D. Herrera-Anaya	
57	3:17-PO-00045-CMK	Tanyia E. Callahan	
58	3:17-PO-00050-CMK	Davis L. Cutter	
59	3:17-PO-00059-CMK	Tiffany Haner	
60	3:17-PO-00064-CMK	Rosser L. Jones	
61	3:17-PO-00069-CMK	Joshua A. Levi	
62	3:17-PO-00081-CMK	Eric L. Milam	
63	3:17-PO-00087-CMK	Justin T. Resmondo	
64	3:17-PO-00090-CMK	Lai H. Saeyang	
65	3:17-PO-00093-CMK	Danford L. Schow	
66	3:17-PO-00155-CMK	Robert A. Edwards	
67	3:17-PO-00166-CMK	Joseph V. Trevino	
68	3:17-PO-00167-CMK	Paul Vaughan	
69 3:17-PO-00171-CMK		James M. Atwood	
70 3:17-PO-00172-CMK		Michael A. Fontes	
71	3:17-PO-00177-CMK	Michael B. Yingling	
72	3:17-PO-00210-CMK	William A. Abrego	
73	3:17-PO-00224-CMK	Charles M. Niemeien	
74	3:17-PO-00227-CMK	Amy Tiner	
75 3:17-PO-00229-CMK		Kevin L. Turner	
76 3:17-PO-00242-CMK		Tianna M. Lee	

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ECF Case Number		Defendant	
77	3:17-PO-00259-CMK	Travis A. Gendreau	
78 3:17-PO-00328-CMK		Marcus A. Collins	
79 3:17-PO-00336-CMK		Gary S. Due	
80	3:17-PO-00345-CMK	Sergio Guerrero Jr	
81 3:17-PO-00353-CMK		Zachary T. Hobbs	
		Robert A. Jones Jr	
		Katie V. Lucas	
84 3:17-PO-00361-CMK		Alexandrya Magdalenochapman	
85	3:17-PO-00368-CMK	James Pawlyk	
86	3:17-PO-00374-CMK	Christopher W. Rathja Jr	
87	3:17-PO-00386-CMK	Nicholas Schave	
88	3:17-PO-00393-CMK	Jodie A. Teal	
89	3:17-PO-00395-CMK	Justin L. Wade	
90	3:17-PO-00396-CMK	Franklin A. Williams	
91	3:17-PO-00451-CMK	Rodney W. Young	
92	3:17-PO-00508-CMK	Sarah S. Hayburn	
93	3:17-PO-00598-CMK	Giovanni A. Cabrera-Caicedo	
94	3:17-PO-00622-CMK	Antonio J. Ramirez	
95	3:17-PO-00629-CMK	Ruben Vargas	
96	3:17-PO-00661-CMK	Gary T. Haren	
97	3:17-PO-00670-CMK	Brandon Birron	
98 3:17-PO-00675-CMK		Alexander W. Calvert	
99	3:17-PO-00682-CMK	Carlos X. Cruz	
100	3:17-PO-00693-CMK	James O. Hamilton II	
101	3:17-PO-00696-CMK	Eric L. Hatfield	
102	3:17-PO-00703-CMK	Larry Laird	
103	3:17-PO-00712-CMK	Jaime E. Montana Equihua	
104	3:17-PO-00720-CMK	Sarah E. Preston	
105	3:17-PO-00726-CMK	Evan Stowers	
106	3:18-PO-00038-CMK	Lorrie M. Robinson	
107	3:18-PO-00041-CMK	Amber Yates	
108	3:18-PO-00050-CMK	Albert Hernandez	
109 3:18-PO-00086-CMK		Jeffrey J. Quinlain	
110 3:18-PO-00096-CMK		Jon W. Payne	
111	3:18-PO-00097-CMK	Roy J. Petersen	
112 3:18-PO-00102-CMK		Franklin A. Patty	
113	3:18-PO-00114-CMK	Nhou C. Vang	
114	3:18-PO-00123-CMK	Charles K. Day	
115	3:18-PO-00178-CMK	Bobby Manjoet	
116	3:18-PO-00262-DMC	Michael J. Singer	
117 3:18-PO-00281-DMC		Daniel R. Bordner	

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ECF Case Number		Defendant	
118	3:18-PO-00291-DMC	Nicholas P. Johnson	
119	3:18-PO-00305-DMC	Tou Thao	
120	3:18-PO-00340-DMC	Caleb L. Centeno	
121	3:18-PO-00342-DMC	Darrin R. Dickson	
122	3:18-PO-00346-DMC	John A. Gray Jr	
123	3:18-PO-00353-DMC	Jackson C. Kircher	
124	3:18-PO-00357-DMC	Tracy A. Line	
125	3:18-PO-00361-DMC	Maguel K. Mendez	
126	3:18-PO-00368-DMC	Casey J. Rowland	
127	3:18-PO-00371-DMC	Deborah Stein	
128	3:18-PO-00376-DMC	Antonia D. Bautist-Adalson	
129	3:18-PO-00382-DMC	Jullian J. Haymon	
130	3:18-PO-00387-DMC	Kiel Laubisch	
131	3:18-PO-00396-DMC	Ton Fow Saephan	
132	3:18-PO-00401-DMC	Deon M. Stanford	
133	3:18-PO-00418-DMC	Jose F. Mendoza	
134	3:18-PO-00421-DMC	Rachel I. Rabago	
135	3:18-PO-00423-DMC	Eberto Tafolla-Solorio	
136	3:18-PO-00426-DMC	Ethan J. Willison	
137	3:18-PO-00427-DMC	Riley E. Young	
138	3:18-PO-00441-DMC	Brian J. Schricker	
139	3:19-PO-00062-DMC	Aaron D. Hightower	
140	3:19-PO-00064-DMC	Richard E. Kiser Jr	
141	3:19-PO-00082-DMC	Michael A. Crist	
142	3:19-PO-00125-DMC	Danny Pitcher	
143	3:19-PO-00141-DMC	Fermin C. Salas Jr	
144	3:19-PO-00227-DMC	Christina M. Halcon	
145	3:19-PO-00228-DMC	Billy W. Larkins	
146	3:19-PO-00264-DMC	Candice R. Beals	
147	3:19-PO-00267-DMC	Ismael Caro Jr	
148	3:20-PO-00002-DMC	Christian C. Arguello	
149	3:20-PO-00005-DMC	Daniel R. Bowman	
150	3:20-PO-00008-DMC	Jerry W. Cox	
151	3:20-PO-00009-DMC	Nathaniel E. Craig	
152	3:20-PO-00013-DMC	Rachelle L. Munoz	
153	3:20-PO-00020-DMC	Troy C. Tolan	
154	3:20-PO-00040-DMC	Santiago D. Ibanez	
155	3:20-PO-00137-DMC	James Thomas	
156	3:20-PO-00216-DMC	Jose U. Alvarez-Madrigal	
157	3:20-PO-00232-DMC	Julie M. Byers	
158 3:20-PO-00273-DMC		Zachary M. Hancock	

1			ECF Case Number	Defendant
		159	3:20-PO-00281-DMC	Adrian L. Henson
2		160	3:20-PO-00282-DMC	Jon U. Hershman
3		161	3:20-PO-00291-DMC	Jesse C. Keisner
3		162	3:20-PO-00315-DMC	Jason F. Munoz
4		163	3:20-PO-00349-DMC	Steven W. Schick
5		164	3:20-PO-00363-DMC	Dustin W. Webster
5		165	3:20-PO-00395-DMC	Arthur Chacon
6		166	3:20-PO-00414-DMC	Vincent Galindo
7		167	3:20-PO-00428-DMC	Shane L. Hayes
'		168	3:20-PO-00449-DMC	Matthew C. Morrison
8		169	3:20-PO-00477-DMC	Kevin L. Son
9		170	3:21-PO-00010-DMC	Simon L. Bigall
		171	3:21-PO-00022-DMC	Ashley Hitcher
10		172	3:21-PO-00063-DMC	Robert J. McMaster
11		173	3:21-PO-00072-DMC	Jim H. Harper
		174	3:21-PO-00077-DMC	Juan Perez
12		175	3:21-PO-00111-DMC	Jose J. Esparza
13		176	3:21-PO-00119-DMC	Jon W. Graham
		177	3:21-PO-00136-DMC	Levi M. Rogers
14		178	3:21-PO-00158-DMC	Rebecca Clarke
15		179	3:21-PO-00175-DMC	Jade S. Wilt
		180	3:21-PO-00183-DMC	Milton L. Booker
16		181	3:21-PO-00193-DMC	Johnny W. Gragg
17		182	3:21-PO-00195-DMC	David W. Griffin
		183	3:21-PO-00290-DMC	Tia A. Smith
18		184	3:21-PO-00324-DMC	Colton Hastings
19		185	3:21-PO-00345-DMC	Adrienne J. Blake
		186	3:22-PO-00018-DMC	Brian D. Tynes
20		187	3:22-PO-00030-DMC	Anthony Jimenez
21		188	3:22-PO-00043-DMC	Michael J. McDonald
		189	3:22-PO-00065-DMC	Eli J. Hancock
22	<u> </u>	190	3:22-PO-00105-DMC	Christopher L. Simmons
23		191	3:22-PO-00117-DMC	Sean Roccoforte
		192	3:22-PO-00222-DMC	Valeria C. Diaz
24	<u> </u>	193	3:22-PO-00231-DMC	Peter J. Grundig
25		194	3:22-PO-00245-DMC	Domanick W. Rawlins
		195	3:22-PO-00262-DMC	Brandy L. Bemis
26		196	3:22-PO-00273-DMC	Karolina Hajdas

MOTION AND ORDER TO
DISMISS AND RECALL BENCH WARRANTS

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